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SAN DIEGO UNIFIED SCHOOL DISTRICT

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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

T.B., Allison Brenneise and Robert Brenneise, Plaintiffs, v. SAN DIEGO UNIFIED SCHOOL DISTRICT, Defendant.	Case No. 08 CV 0028 WQH WMc (Consolidated with 08 CV 00039 WQH WMc) **DECLARATION OF SARAH SUTHERLAND IN SUPPORT OF SAN DIEGO UNIFIED SCHOOL DISTRICT'S MOTION FOR CERTIFICATION TO THE NINTH CIRCUIT OF THE COURT'S ORDER DENYING ITS MOTION TO DISMISS PLAINTIFFS' FOURTH CLAIM FOR RELIEF**
SAN DIEGO UNIFIED SCHOOL DISTRICT, Plaintiff, v. T.B., a minor, Allison Brenneise and Robert Brenneise, his parents, Steven Wyner, and Wyner and Tiffany, Defendants.	Date: August 18, 2008 Time: 9:00 a.m. Courtroom: 4 Judge: Hon. William Q. Hayes Complaint Filed: January 4, 2008 **NO ORAL ARGUMENT UNLESS REQUESTED BY COURT**

I, SARAH SUTHERLAND, declare:

1. I have personal knowledge of the facts stated below, and if called upon as a

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witness I could and would testify competently to the matters stated herein.

2. I am attorney duly licensed in the State of California. I am an associate with the law firm of Miller Brown & Dannis, counsel of record for the San Diego Unified School District ("District").

3. The Brenneise family provided written notice to the San Diego Unified School District on February 29, 2008 that as of March 7, 2008, T.B. would be withdrawn from the District and moving out of California. I am informed and believe that T.B. ceased enrollment within the District on that date.

4. Because T.B. no longer resides within the state of California, any settlement in this matter would not involve provision of educational services by the District.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 11 day of July, 2008, at San Diego, California.

s/ Sarah L. W. Sutherland
SARAH SUTHERLAND